

**FRIDAY, JUNE 9, 2000**  
**EIGHTY-EIGHTH LEGISLATIVE DAY**

The House met at 1:30 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Curtiss.

Representative Curtiss led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative J. DeBerry; personal reasons.

Representative Hargett; personal reasons.

Representative McDonald; personal reasons.

**MESSAGE FROM THE SENATE**  
**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3362; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 190, 711, 1395, 2065, 2124, 2269, 2291, 2398, 2415, 2486, 2534, 2570, 2741, 2769, 2958, 2999; also, Senate Joint Resolution(s) No(s). 895 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**June 8, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 190, 711, 1395, 2065, 2124, 2269, 2291, 2398, 2415, 2486, 2534, 2570, 2741, 2769, 2958, 2999; also, Senate Joint Resolution(s) No(s). 895.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill No. 3094.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2012.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2019.

The Senate nonconcurred in House Amendment(s) No(s). 2.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2183.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2472.

The Senate nonconcurred in House Amendment(s) No(s). 3.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2598.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 2.

The Speaker appointed a Conference Committee composed of Senators Blackburn, Fowler and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2598.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2738.

The Senate nonconcurred in House Amendment(s) No(s). 8 and 10.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2210.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3081.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2784.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Henry, Person and Crowe to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 2784.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to request the return of House Bill(s) No(s). 2854, for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to request the return of House Bill(s) No(s). 2591, for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**June 8, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3302, 3339, 3352, also, House Joint Resolution(s) No(s). 435; without his signature.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 911; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 911** -- Memorials, Public Service - Dr. Bob Womack. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Eisea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 821, 822, 823, 824, 825, 826, 827, 828, 829, 830 and 832; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill No. 3027.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 6 and 7, withdrew Amendment No. 6 and 7, adopted Amendment No. 8, then repressed the bill on third and final consideration, as amended.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3174.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Cooper, Cohen and Haun to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 3174.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2117; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 831; amended, and concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 1269.

The Senate nonconcurred in House Amendment(s) No(s). 2.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2123.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENROLLED BILLS**

**June 8, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 374, 499, 567, 595, 800, 802, 803, 804, 805, 806, 808, 810, 811, 812, 813, 814, 816, 818, 819, 820; also, House Resolution(s) No(s). 9, 184, 204, 268, 269, 270, 271, 272, 274, 275 and 276.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**June 8, 2000**

The Speaker signed the following: House Joint Resolution(s) No(s). 374, 499, 567, 595, 800, 802, 803, 804, 805, 806, 808, 810, 811, 812, 813, 814, 816, 818, 819, 820; also, House Resolution(s) No(s). 9, 184, 204, 268, 269, 270, 271, 272, 274, 275 and 276.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**June 8, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 1882.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**June 8, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 910, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927 and 928; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 910** -- Memorials, Professional Achievement - Ina F. Maxwell, Pleasant Hill Elementary School Teacher of the Year for grades 5-8. by \*Davis L.

**Senate Joint Resolution No. 912** -- Memorials, Personal Occasion - Samuel Bacon, 100th Birthday. by \*Burks.

**Senate Joint Resolution No. 913** -- Memorials, Academic Achievement - Jacquelyn Suzanne Still, Valedictorian, Coffee County Central High School. by \*Burks.

**Senate Joint Resolution No. 914** -- Memorials, Academic Achievement - Liza St. John, Salutatorian, Coffee County Central High School. by \*Burks.

**Senate Joint Resolution No. 915** -- Memorials, Academic Achievement - Matthew Wayne Sullivan, Valedictorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 916** -- Memorials, Academic Achievement - Emily Nicole Ferguson, Salutatorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 917** -- Memorials, Academic Achievement - Rebecca Lea Smith, Valedictorian, Macon County High School. by \*Burks.

**Senate Joint Resolution No. 918** -- Memorials, Academic Achievement - Lindsey Katherine Richardson, Salutatorian, Macon County High School. by \*Burks.

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**Senate Joint Resolution No. 919** -- Memorials, Academic Achievement - Carla Sponaugle, Valedictorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 920** -- Memorials, Academic Achievement - Cheryl Lowe, Salutatorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 921** -- Memorials, Academic Achievement - Crystal O'Hara, Valedictorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 922** -- Memorials, Academic Achievement - Travis Luna, Salutatorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 923** -- Memorials, Academic Achievement - Kathleen Rose Cabral, Valedictorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 924** -- Memorials, Recognition - Whites Creek High School Air Force Junior ROTC. by \*Harper, \*Haynes.

**Senate Joint Resolution No. 925** -- Memorials, Academic Achievement - Jeffrey Ingram, Salutatorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 926** -- Memorials, Death - Barbara Walker Hummel. by \*Kyle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 927** -- Memorials, Sports - Oakland High School baseball team, 2000 TSSAA Class AAA state champions. by \*Womack.

**Senate Joint Resolution No. 928** -- Memorials, Sports - Northwest Airlines Basketball Team, Tennessee Ambassadors. by \*Leatherwood.

**MESSAGE FROM THE SENATE  
June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 374, 499, 567, 595, 800, 802, 803, 804, 805, 806, 808, 810, 811, 812, 813, 814, 816, 818, 819 and 820; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
June 9, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 374, 499, 567, 595, 800, 802, 803, 804, 805, 806, 808, 810, 811, 812, 813, 814, 816, 818, 819 and 820.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 897, 1811, 2091, 2272, 2392, 2818, 3057, 3108; also, Senate Joint Resolution(s) No(s). 529 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**June 9, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 897, 1811, 2091, 2272, 2392, 2818, 3057, 3108; also, Senate Joint Resolution(s) No(s). 529.

**ENROLLED BILLS**

**June 9, 2000**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 743, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830 and 832.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**June 9, 2000**

The Speaker signed the following: House Joint Resolution(s) No(s). 743, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830 and 832.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 743, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830 and 832; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**June 9, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 743, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830 and 832.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2855; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1180; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2400 and 2618; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944 and 945; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 929** -- Memorials, Death - Representative Paul "Buddy" Scruggs. by \*Atchley, \*Burchett, \*Atchley, \*Blackburn, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 930** -- Memorials, Academic Achievement - Amber Veatch, Salutatorian, Dyersburg High School. by \*Herron.

**Senate Joint Resolution No. 931** -- Memorials, Academic Achievement - Mary Courtney Ford, First in Graduating Class, Dyersburg High School. by \*Herron.

**Senate Joint Resolution No. 932** -- Memorials, Academic Achievement - Doug Davis, Valedictorian, Westview High School. by \*Herron.

**Senate Joint Resolution No. 933** -- Memorials, Academic Achievement - Todd Higgs, Salutatorian, Westview High School. by \*Herron.

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**Senate Joint Resolution No. 934** -- Memorials, Academic Achievement - Kristy Kummerow, Valedictorian, Henry County High School. by \*Herron.

**Senate Joint Resolution No. 935** -- Memorials, Academic Achievement - Dusty Parr, Salutatorian, Henry County High School. by \*Herron.

**Senate Joint Resolution No. 936** -- Memorials, Academic Achievement - Becky Morrow, Valedictorian, Lake County High School. by \*Herron.

**Senate Joint Resolution No. 937** -- Memorials, Academic Achievement - Valerie Cagle, Salutatorian, Lake County High School. by \*Herron.

**Senate Joint Resolution No. 938** -- Memorials, Death - Robert H. "Bob" Owen. by \*Herron.

**Senate Joint Resolution No. 939** -- Memorials, Sports - Popeye Jones, Murray State University Basketball Player of the Century. by \*Herron.

**Senate Joint Resolution No. 940** -- Memorials, Death - Dolly Red Spain. by \*Herron, \*Carter, \*Dixon, \*Haynes, \*Rochelle.

**Senate Joint Resolution No. 941** -- Memorials, Death - Eugene "Pappy" Killebrew. by \*Herron.

**Senate Joint Resolution No. 942** -- Memorials, Death - Faye Ella Maloan. by \*Herron.

**Senate Joint Resolution No. 943** -- Memorials, Public Service - Captain Regina Parham. by \*Herron.

**Senate Joint Resolution No. 944** -- Memorials, Academic Achievement - Crystal Skelton, Salutatorian, Greenfield High School. by \*Herron.

**Senate Joint Resolution No. 945** -- Memorials, Academic Achievement - Bethany Marcus, Valedictorian, Greenfield High School. by \*Herron.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 946 and 947; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 946** -- Memorials, Professional Achievement - Kenco Group Inc., 50th Anniversary. by \*Fowler.

**Senate Joint Resolution No. 947** -- Memorials, Personal Occasion - William and Irmgard Fuchs, 50th wedding anniversary. by \*Davis L.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 948; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 948** -- Memorials, Death - Senator John Hicks. by \*Haynes, \*Harper, \*Henry, \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Haun, \*Haynes, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 949 and 950; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 949** -- Memorials, Professional Achievement - Kenco Group Inc., 50th Anniversary. by \*Fowler, \*Crutchfield.

**Senate Joint Resolution No. 950** -- Memorials, Death - Roberts V. Weaver, Sr. and Helen Howard Weaver. by \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**PERSONAL ORDERS**

**RULES SUSPENDED**

Rep. Chumney moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 926 out of order, which motion prevailed.

**Senate Joint Resolution No. 926** -- Memorials, Death - Barbara Walker Hummel. by \*Kyle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

On motion of Rep. Chumney, the resolution was concurred in.

A motion to reconsider was tabled.

**COMMUNICATION**

To: Jim Shulman

From: Connie Frederick

Re: Volunteer Spirit Award

Yesterday, the employees of the legislature were awarded the Volunteer Spirit Award for "The Christmas Spirit" from the Department of Mental Health and Mental Retardation. Many groups of volunteers were involved, but the legislative employees were selected for their outstanding effort.

The award was presented to the legislative volunteer coordinators yesterday at a recognition luncheon at the Belle Meade Mansion.

The award came to them for their efforts in collecting treats, clothing and presents for all of the residents at Middle Tennessee Health institute. Each resident received a wonderful Christmas present, and legislative employees provided enough presents that each resident could be given a gift on their birthday.

It would be really great if the Speaker or one of the Leadership members would congratulate the legislative staff for a job well done.

**RECOGNITION IN THE WELL**

Rep. Williams was recognized in the Well to introduce Ms. Emma Williams for remarks.

**RULES SUSPENDED**

Rep. Williams moved that the rules be suspended for the purpose of introducing House Resolution No. 280 out of order, which motion prevailed.

**House Resolution No. 280** -- Memorials, Retirement - Emma Williams. by \*Williams (Williamson).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted by the following vote:

Ayes.....	92
Noes .....	0

## FRIDAY, JUNE 9, 2000 — EIGHTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Baird moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 839 out of order, which motion prevailed.

**House Joint Resolution No. 839** -- Memorials, Sports - Lake City/Norris Middle School golf team, state champions. by \*Baird.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Baird, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Baird moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 840 out of order, which motion prevailed.

**House Joint Resolution No. 840** -- Memorials, Sports - Anderson County High School girls' track and field team, 2000 TSSAA Class A-AA state champions. by \*Baird.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Baird, the resolution was adopted.

A motion to reconsider was tabled.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 10, 2000:

**House Resolution No. 282** -- Memorials, Recognition - William D. Hicks. by \*Bunch.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for June 10, 2000:

**Senate Joint Resolution No. 929** -- Memorials, Death - Representative Paul "Buddy" Scruggs. by \*Atchley, \*Burchett, \*Atchley, \*Blackburn, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 930** -- Memorials, Academic Achievement - Amber Veatch, Salutatorian, Dyersburg High School. by \*Herron.

**Senate Joint Resolution No. 931** -- Memorials, Academic Achievement - Mary Courtney Ford, First in Graduating Class, Dyersburg High School. by \*Herron.

**Senate Joint Resolution No. 932** -- Memorials, Academic Achievement - Doug Davis, Valedictorian, Westview High School. by \*Herron.

**Senate Joint Resolution No. 933** -- Memorials, Academic Achievement - Todd Higgs, Salutatorian, Westview High School. by \*Herron.

**Senate Joint Resolution No. 934** -- Memorials, Academic Achievement - Kristy Kummerow, Valedictorian, Henry County High School. by \*Herron.

**Senate Joint Resolution No. 935** -- Memorials, Academic Achievement - Dusty Parr, Salutatorian, Henry County High School. by \*Herron.

**Senate Joint Resolution No. 936** -- Memorials, Academic Achievement - Becky Morrow, Valedictorian, Lake County High School. by \*Herron.

**Senate Joint Resolution No. 937** -- Memorials, Academic Achievement - Valerie Cagle, Salutatorian, Lake County High School. by \*Herron.

**Senate Joint Resolution No. 938** -- Memorials, Death - Robert H. "Bob" Owen. by \*Herron.

**FRIDAY, JUNE 9, 2000 — EIGHTY-EIGHTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 939** -- Memorials, Sports - Popeye Jones, Murray State University Basketball Player of the Century. by \*Herron.

**Senate Joint Resolution No. 940** -- Memorials, Death - Dolly Red Spain. by \*Herron.

**Senate Joint Resolution No. 941** -- Memorials, Death - Eugene "Pappy" Killebrew. by \*Herron.

**Senate Joint Resolution No. 942** -- Memorials, Death - Faye Ella Maloan. by \*Herron.

**Senate Joint Resolution No. 943** -- Memorials, Public Service - Captain Regina Parham. by \*Herron.

**Senate Joint Resolution No. 944** -- Memorials, Academic Achievement - Crystal Skelton, Salutatorian, Greenfield High School. by \*Herron.

**Senate Joint Resolution No. 945** -- Memorials, Academic Achievement - Bethany Marcus, Valedictorian, Greenfield High School. by \*Herron.

**Senate Joint Resolution No. 946** -- Memorials, Professional Achievement - Kenco Group Inc., 50th Anniversary. by \*Fowler.

**Senate Joint Resolution No. 947** -- Memorials, Personal Occasion - William and Irmgard Fuchs, 50th wedding anniversary. by \*Davis L.

**Senate Joint Resolution No. 948** -- Memorials, Death - Senator John Hicks. by \*Haynes, \*Harper, \*Henry, \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Haun, \*Haynes, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 949** -- Memorials, Professional Achievement - Kenco Group Inc., 50th Anniversary. by \*Fowler.

**Senate Joint Resolution No. 950** -- Memorials, Death - Roberts V. Weaver, Sr. and Helen Howard Weaver. by \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 753** -- General Assembly, Studies - Continues special joint committee to study women's health issues. by \*Harper.

House Finance, Ways and Means Committee

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2755** -- Pensions and Retirement Benefits - Provides that local teacher retirement funds should be well managed; requires annual reports to local legislative bodies. Amends TCA Title 7. by \*Rochelle, \*Henry. (HB2802 by \*Jones, S., \*Odom, \*Pruitt, \*Arriola, \*Robinson, \*Garrett, \*Langster, \*Briley, \*West)

**Senate Bill No. 3082** -- Taxes - Makes various changes to excise, franchise tax provisions Amends TCA Titles 12 and 67. by \*McNally, \*Crowe, \*Rochelle, \*Fowler. (\*HB3010 by \*Kisber)

**CONSENT CALENDAR**

**House Bill No. 2043** -- Claiborne County - Subject to local approval, establishes building permit fee schedule. Amends Chapter 74 of the Private Acts of 1967, and all acts amendatory thereto. by \*Goins. (SB2082 by \*Williams)

**House Resolution No. 277** -- Memorials, Personal Occasion - Dr. and Mrs. William L. Gaby, 60th Wedding Anniversary. by \*Patton, \*Davis (Washington).

**House Resolution No. 278** -- Memorials, Personal Occasion - Bill and Helen Alford, 50th wedding anniversary. by \*Patton, \*Davis (Washington).

**House Resolution No. 279** -- Memorials, Interns - William Scott. by \*DeBerry J.

**House Joint Resolution No. 833** -- Memorials, Personal Occasion - Mary Lou Winningham, 84th Birthday. by \*Winningham.

**House Joint Resolution No. 834** -- Memorials, Sports - Josie Hahn, Anderson County High School track star. by \*Baird.

**House Joint Resolution No. 835** -- Memorials, Death - Marion Emmalee Mariner. by \*Baird.

**Senate Joint Resolution No. 892** -- Memorials, Interns - Dennis Hale. by \*Burks.

**Senate Joint Resolution No. 893** -- Memorials, Recognition - Richland Elementary Education Fund (REEF) program. by \*Person, \*Kyle.

**Senate Joint Resolution No. 894** -- Memorials, Recognition - First Baptist Church of Mt. Juliet, 100th anniversary. by \*Rochelle, \*Williams.

**Senate Joint Resolution No. 896** -- Memorials, Personal Occasion - Jason Isaac Rodifer and Lauralyn Marie Collins, marriage. by \*Crowe.

**Senate Joint Resolution No. 897** -- Memorials, Death - John Rust Collier, Sr. by \*Cooper, \*Davis L.

**FRIDAY, JUNE 9, 2000 — EIGHTY-EIGHTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 898** -- Memorials, Death - John Robert "Bobby" Fandrich. by \*Cooper.

**Senate Joint Resolution No. 899** -- Memorials, Academic Achievement - Anjali Malik, Salutatorian, Union City High School. by \*Herron.

**Senate Joint Resolution No. 900** -- Memorials, Academic Achievement - Stephen Alexander Vaden, Valedictorian, Union City High School. by \*Herron.

**Senate Joint Resolution No. 901** -- Memorials, Academic Achievement - Doyle Shane McDaniel, Salutatorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 902** -- Memorials, Interns - Jennifer Lorraine Martin. by \*Herron.

**Senate Joint Resolution No. 903** -- Memorials, Academic Achievement - Erin Nicole Lucy, Valedictorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 904** -- Memorials, Academic Achievement - Andrew McElhiney, Salutatorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 905** -- Memorials, Academic Achievement - Robert Canaday, Valedictorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 906** -- Memorials, Recognition - First Country Music Marathon organizers, April 29, 2000. by \*Herron.

**Senate Joint Resolution No. 907** -- Memorials, Sports - Middle Tennessee State University baseball team, Ohio Valley Conference regular season and tournament champions. by \*Womack.

**Senate Joint Resolution No. 908** -- Memorials, Interns - Bryan Moultrie. by \*Cohen.

**Senate Joint Resolution No. 909** -- Memorials, Interns - Shay Click. by \*Cohen.

**Senate Joint Resolution No. 911** -- Memorials, Public Service - Dr. Bob Womack. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, J, \*Wilder, \*Williams, \*Womack.

**OBJECTION – CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No: 2043:** by Rep. Head

Under the rules, House Bill(s) No(s). 2043 was/were placed at the foot of the calendar for June 10, 2000.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

#### RECESS MOTION

On motion, the House stood in recess until 3:30 p.m.

#### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 2807:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 2969:** Rep(s). Todd, Cole (Carter) and Kent as prime sponsor(s).

#### MESSAGE FROM THE SENATE June 9, 2000

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2959.

The Senate nonconcurred in House Amendment(s) No(s). 1 and 2.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2171; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3095.

The Senate nonconcurred in House Amendment(s) No(s). 3.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2462; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to request the return of House Bill(s) No(s). 2855, for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2287 and 2289; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Bill No. 2287** -- Criminal Offenses - Creates offense of gambling by computer. Amends TCA Title 39, Chapter 17, Part 5. by \*Kurita, \*Burks. (\*HB2151 by \*Williams (Williamson))

**\*Senate Bill No. 2289** -- Criminal Offenses - Clarifies that "owner" for purposes of burglary and related offenses does not include person who is restrained from property or habitation as result of court order obtained by person maintaining residence on such property. Amends TCA Title 39, Chapter 14, Part 4. by \*Haynes. (HB2646 by \*McMillan)

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2584; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3004; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENROLLED BILLS**

**June 9, 2000**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 277, 278, 279 and 280; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**June 9, 2000**

The Speaker signed the following: House Resolution(s) No(s). 277, 278, 279 and 280.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

**ROLL CALL DISPENSED WITH**

On motion of Rep. Hargrove, the roll call was dispensed with.

**REGULAR CALENDAR**

**House Bill No. 3259** -- Taxes - Establishes procedures whereby county government may impose real property transfer tax. Amends TCA Title 67, Chapter 4. by \*Head. (\*SB3147 by \*Kyle)

Further consideration of House Bill No. 3259 previously considered on June 1, 2000, June 6, 2000 and June 7, 2000, at which time it was reset for today's Calendar.

Rep. Head moved that House Bill No. 3259 be reset for the Regular Calendar on June 10, 2000, which motion prevailed.

**House Joint Resolution No. 815** -- Memorials, Sports - White House High School baseball team, TSSAA Class AA state champions. by \*McDonald.

Further consideration of House Joint Resolution No. 815 previously considered on June 7, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

**RESOLUTION WITHDRAWN**

On motion of Rep. Davidson, **House Joint Resolution No. 815** was withdrawn from the House.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2969** -- TennCare - Requires certain disclosures of persons connected with TennCare MCOs. Amends TCA Title 8; Title 56 and Title 71. by \*Jackson. (\*SB2868 by \*Springer, P, \*Cooper)

Further consideration of House Bill No. 2969 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. Jackson requested that House Bill No. 2969 be moved to the heel of the Calendar.

**House Bill No. 2651** -- Sentencing - Adds enhancement factor by which defendant's sentence may be increased within appropriate range that defendant abused position of trust with parent or guardian of child victim that significantly facilitated commission of offense. Amends TCA Title 40, Chapter 35. by \*McMillan. (\*SB2273 by \*Rochelle, \*Person, \*Graves, \*Davis L, \*Burks, \*Kurita, \*Williams)

Further consideration of House Bill No. 2651 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. McMillan requested that House Bill No. 2651 be moved to the heel of the Message Calendar.

**House Bill No. 3081** -- Criminal Offenses - Expands offense of retaliation for past action to include harm to or threats against district attorney or assistant district attorney in retaliation for anything done by such district attorney or assistant district attorney in official capacity as such. Amends TCA Title 55, Chapter 16, Part 5. by \*Jackson, \*Briley, \*Sands. (\*SB2671 by \*Haynes)

Further consideration of House Bill No. 3081 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. Jackson moved that **House Bill No. 3081** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2107** -- Historical Sites and Preservation - Authorizes expenditure of funds from state lands acquisition fund for benefit of state historic areas Amends TCA Section 67-4-409. by \*Jackson, \*McDaniel, \*Davidson, \*Fowlkes, \*Tidwell. (\*SB2045 by \*Henry, \*Crowe)

Further consideration of House Bill No. 2107 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2107 was made to conform with **Senate Bill No. 2045**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 2045 be passed on third and final consideration.

Rep. Jackson moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2045 by deleting the language "buffer zones around existing state historic sites or areas," in Section 1, as amended, and by substituting instead the language "state historic areas,".

On motion, Amendment No. 1 was adopted.

Rep. Jackson moved that **Senate Bill No. 2045**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*Senate Bill No. 2040** -- Administrative Procedure - Extends agency rules set to expire under provisions of UAPA. by \*Springer, P. (HB2054 by \*Kernell, \*Garrett, \*Brooks)

Further consideration of Senate Bill No. 2040 previously considered on June 7, 2000, at which time Senate Bill was substituted for the House Bill and reset for today's Calendar.

Rep. Kernell requested that Senate Bill No. 2040 be moved to the heel of the Calendar.

**House Bill No. 2807** -- Ethics - Requires persons or entities doing business with state, or subsidiaries or contractors of such persons or entities, who pay consulting fee to legislative or executive branch official or immediate family of such official to disclose to registry of election finance certain information relative to such fee; requires members of general assembly to make same disclosure relative to consulting fees received. Amends TCA Title 2, Chapter 10; Title 3 and Title 12. by \*Buck, \*Jackson, \*Kisber. (\*SB2713 by \*Cooper)

Further consideration of House Bill No. 2807 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 2807 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2807 By adding the following new section immediately preceding Section 1 and by renumbering subsequent sections accordingly:

SECTION 1. As used in this act, unless the context otherwise requires:

(1) The term "consulting services" with respect to an official in the legislative branch, an official in the executive branch, or the immediate family of either type of official, includes services for influencing legislative or administrative action as such term is defined in §3-6-102(10) or providing consulting services for any purpose, including services to advise or assist such person or entity in maintaining, applying for, soliciting or entering into a contract with the state.

(2) The term "consulting services" with respect to a municipal or county official, or the immediate family of either type of official, includes services for influencing legislative or administrative action or providing consulting services for any purpose, including services to advise or assist such person or entity in maintaining, applying for, soliciting or entering into a contract with the municipality or county represented by such official. For purposes of this subdivision, the term "influencing legislative or administrative action" includes promoting, supporting, influencing, modifying, opposing or delaying any action of the county or municipality which the official represents by any means, including, but not limited to, the provision or use of information, statistics, studies, or analyses, but not including the furnishing of information, statistics, studies, or analyses requested by a municipal or county official to such official or the giving of testimony by an individual testifying at an official hearing conducted by officials of the county or municipality.

(3) The term "immediate family" has the same meaning as such term is defined in §3-6-102(9).

(4) The term "official in the executive branch" means the governor, any member of the governor's staff or any person in the executive service as such term is defined in §8-30-208(b).

(5) The term "official in the legislative branch" has the same meaning as such term is defined in § 3-6-102(16).

AND FURTHER AMEND BY designating subsection (a) of the new Section 2-20-119 in the amendatory language in Section 1 of the printed bill as subdivision (a)(1), by deleting the language in subsection (a) of the printed bill up to the colon and substituting instead the following language:

If any person or other entity that does business with the state of Tennessee in any capacity, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, pays a fee, including a retainer, commission or any other form of compensation to an official in the legislative branch, an official in the executive branch, or the immediate family of either type of official, for consulting services, then such person or entity, or subsidiary or contractor of such person or entity shall disclose the following to the registry of election finance:

AND FURTHER AMEND subsection (a) of Section 1 of the printed bill by adding the following new subdivision:

(2) If any person or other entity that does business with a municipality or county within the state of Tennessee in any capacity, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, pays a fee, including a retainer, commission or any other form of compensation to a municipal or county official, or the immediate family of either type of official, for consulting services, such person or entity, or subsidiary or contractor of such person or entity shall disclose to the registry of election finance the same information for such officials as required pursuant to subdivision (1) for officials in the legislative or executive branch.

AND FURTHER AMEND by designating subsection (a) of the new Section 2-20-120 in the amendatory language of Section 1 of the printed bill as subdivision (1) and by adding the following language to subsection (a) to be designated as subdivision (2):

(2) Any member of a municipal or county legislative body or member elect of a municipal or county legislative body who receives a fee, including a retainer, commission or any other form of compensation for consulting services from a person or entity doing business with the municipality or county represented by such official, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, shall be required to make the same disclosure required by § 2-10-119. The registry of election finance may devise a new form for disclosure of consulting fees by members of a municipal or county legislative body or members elect of a municipal or county legislative body or may modify the one required by § 2-10-119 for use by all parties required to disclose.

AND FURTHER AMEND by designating subsection (c) of the new Section 2-20-120 in the amendatory language of Section 1 of the printed bill as subdivision (1) and by adding the following language to subsection (c) to be designated as subdivision (2):

(2) It is a Class A misdemeanor for a member of a municipal or county legislative body or member elect of a municipal or county legislative body to receive a fee, including a retainer, commission or any other form of compensation for consulting services from a person or entity doing business with the municipality or county represented by such official, a subsidiary of such person or entity, an entity that contracts with such person or entity or an entity that contracts with an entity that contracts with such person or entity, and knowingly fail to disclose such fee as required by this section.

AND FURTHER AMEND by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ The provisions of this act do not apply to:

(1) The services or actions of a person to whom this act otherwise would apply, if such person, with respect to such service or action, files a disclosure in accordance with the provisions of Tennessee Code Annotated, Title 3, Chapter 6, Part 1;

(2) The services or actions of a member of the general assembly or member elect of the general assembly, which do not meet the definition of consulting services, and which are properly disclosed in accordance with the provisions of Tennessee Code Annotated, Title 8, Chapter 50, Part 5; and

(3) The services or actions of a person to whom this act otherwise would apply, if such person is paid a fee, including a retainer, commission or any other form of compensation and the information required by the provisions of this act is a public record and is contained in a document which is filed in a location easily accessible by a member of the public.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2807 by adding the following language as a new Section 2-10-121 to Section 1:

SECTION 2-10-121. The comptroller of the treasury may on his own initiative, or at the request of the registry of election finance shall, audit any person to whom this act applies to verify compliance with this act.

On motion, Amendment No. 2 was adopted.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Buck moved that **House Bill No. 2807**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	1

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Jones U. -- 1.

A motion to reconsider was tabled.

**House Bill No. 2646** -- Criminal Offenses - Clarifies that "owner" for purposes of burglary and related offenses does not include person who is restrained from property or habitation as result of court order obtained by person maintaining residence on such property. Amends TCA Title 39, Chapter 14, Part 4. by \*McMillan. (\*SB2289 by \*Haynes)

Further consideration of House Bill No. 2646 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. McMillan requested that House Bill No. 2646 be moved to the heel of the Calendar.

**\*House Bill No. 155** -- Telecommunications - Specifically includes cellular telephones within definition of "public utility." Amends TCA Title 65. by \*Maddox. (\*SB620 by \*Haynes)

Further consideration of House Bill No. 155 previously considered on June 7, 2000, at which time the House adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Maddox moved that House Bill No. 155 be reset for the Regular Calendar on June 12, 2000, which motion prevailed.

**\*House Bill No. 3010** -- Taxes - Makes various changes to excise, franchise tax provisions Amends TCA Titles 12 and 67. by \*Kisber. (SB3082 by \*McNally, \*Crowe, \*Rochelle, \*Fowler)

Further consideration of House Bill No. 3010 previously considered on June 7, 2000, at which time it was reset for today's Calendar.

Rep. Kisber moved that House Bill No. 3010 be held on the Clerk's desk, which motion prevailed.

**House Bill No. 2969** -- TennCare - Requires certain disclosures of persons connected with TennCare MCOs. Amends TCA Title 8; Title 56 and Title 71. by \*Jackson. (\*SB2868 by \*Springer, P, \*Cooper)

Further consideration of House Bill No. 2969 previously considered on today's Calendar.

Rep. Jackson moved that **House Bill No. 2969** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*Senate Bill No. 2040** -- Administrative Procedure - Extends agency rules set to expire under provisions of UAPA. by \*Springer, P. (HB2054 by \*Kernell, \*Garrett, \*Brooks)

Further consideration of Senate Bill No. 2040 previously considered on today's Calendar.

Rep. Garrett requested that Senate Bill No. 2040 be moved to the heel of the Message Calendar.

**House Bill No. 2646** -- Criminal Offenses - Clarifies that "owner" for purposes of burglary and related offenses does not include person who is restrained from property or habitation as result of court order obtained by person maintaining residence on such property. Amends TCA Title 39, Chapter 14, Part 4. by \*McMillan. (\*SB2289 by \*Haynes)

Further consideration of House Bill No. 2646 previously considered on today's Calendar.

On motion, House Bill No. 2646 was made to conform with **Senate Bill No. 2289**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2289 be passed on third and final consideration.

Rep. McMillan moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2289 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-401, is amended by adding the following as a new subsection:

(3) "Owner" means a person in lawful possession of property, whether the possession is actual or constructive. This does not include a person, who is restrained from the property or habitation by a valid court order or order of protection other than an ex parte order of protection, obtained by the person maintaining residence on the property.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. McMillan moved that **Senate Bill No. 2289**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

## MESSAGE CALENDAR

### HOUSE ACTION ON SENATE MESSAGE

**Senate Bill No. 1882** -- Education - Requires student to be enrolled in school under name that appears on certificate of birth and to use that throughout school career. Amends TCA Title 49, Chapter 6, Part 51. by \*Davis L. (\*HB1840 by \*Ferguson, \*Turner (Hamilton))

### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1882

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1882 (House Bill No. 1840) has met and recommends that the following amendments be deleted: House Amendments No. 1, 2, and 3 and Senate Amendments No. 1 and 2.

The Committee further recommends that the following amendment be adopted:

By deleting in its entirety all language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 51, is amended by adding the following new section:

Section 49-6-5106. All students shall be enrolled in the name that appears on their certificate of live birth, or certificate of birth by adoption, if such adoption occurs prior to the child's entrance into school, and students shall be known by such lawful name in all facets of school records, report cards, student testing and any school activities. Name changes due to marriage of a student will be entered on the student's record upon receipt of a marriage certificate. Court-ordered name changes will be entered on the student's record upon receipt of the appropriate court document.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, but shall apply beginning with the 2000-2001 school year, unless a child enrolls as a new student or transfers to another LEA during the current school year.

Senator Lincoln Davis  
Senator Rusty Crowe

Representative Gene Davidson  
Representative Dewayne Bunch  
Representative Dennis Ferguson

Rep. Ferguson moved that the Report of the Conference Committee on **Senate Bill No. 1882** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 3081** — Traffic Safety - Deletes requirement that law enforcement officer witness separate violation of law to issue citation or warrant for arrest for violations of seat belt law; deletes citation only limitation for violations of seat belt law. Amends TCA Title 55, Chapter 9, Part 6. by \*Haun, \*Cohen, \*Kurita. (\*HB3009 by \*Newton, \*Robinson, \*Black)

**CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 3081**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 3081 (House Bill No. 3009) has met and recommends that the following amendments be deleted Senate Amendment No. 1 and House Amendment No. 2

The Committee further recommends that the following amendment be adopted:

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-602(g), is amended by deleting the subsection in its entirety and by substituting instead the following:

(g)(1) Notwithstanding the provisions of § 55-9-603, any person transporting a child four (4) years of age and up to, and through, fifteen (15) years of age in a passenger motor vehicle upon a road, street, or highway of Tennessee is responsible for the protection of the child and properly using a child or other passenger restraint system, including safety belts, meeting federal motor vehicle safety standards for all children occupying any seat within a passenger motor vehicle as defined in this part.

(2) A person charged with a violation of this subsection may, in lieu of appearance in court, submit a fine of twenty dollars (\$20.00) to the clerk of the court which has jurisdiction of such offense within the county in which the offense charged is alleged to have been committed.

(3) No litigation tax levied pursuant to the provisions of title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this subsection, nor shall any clerk's fee or court costs, including but not limited to any statutory fees of officers, be imposed or assessed against anyone convicted of a violation of this subsection.

(4)(A) Notwithstanding any provision of subsection (f) to the contrary, the revenue generated by ten dollars (\$10.00) of the twenty dollar (\$20.00) fine under subdivision (g)(2) for a person's first conviction under this subsection, shall be deposited in the state general fund without being designated for any specific purpose. The remaining ten dollars (\$10.00) of such twenty dollar (\$20.00) fine for a person's first conviction under this subsection shall be deposited to the child safety fund in accordance with subsection (f).

(B) The revenue generated from such person's second or subsequent conviction under this subsection shall be deposited to the child safety fund in accordance with subsection (f).

(5) If all seat belts or other passenger restraints in a passenger motor vehicle originally provided by the manufacturer are occupied, no fine shall be imposed on a person pursuant to the provisions of this subsection for the failure of a child four (4) years of age through fifteen (15) years of age, inclusive, in the back seat to properly use a passenger restraint system.

(6) Notwithstanding any provision of law to the contrary, no more than one (1) citation may be issued for a violation of this subsection per vehicle per occasion.

SECTION 2. Tennessee Code Annotated, Section 55-9-603, is amended by adding the following language as a new, appropriately designated subsection:

(i)(1) Notwithstanding any provision of this section to the contrary, no person between sixteen (16) years of age and up to and through the age of seventeen (17) years of age, shall operate a passenger motor vehicle, or be a passenger therein, unless such person is restrained by a safety belt at all times the vehicle is in forward motion.

(2) Notwithstanding subsection (b)(1), the provisions of this subsection shall apply to all occupants between sixteen (16) years of age and eighteen (18) years of age occupying any seat in a passenger motor vehicle.

(3) Notwithstanding subsection (f)(1), a law enforcement officer observing a violation of this subsection shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this subsection.

SECTION 3. Tennessee Code Annotated, Section 55-9-603(d), is amended by adding the following language as new subdivisions thereto:

(3)(A) Notwithstanding subdivision (2) to the contrary, a person charged with a violation of subsection (i) may, in lieu of appearance in court, submit a fine of twenty dollars (\$20.00) to the clerk of the court which has jurisdiction of such offense within the county in which the offense charged is alleged to have been committed.

(B) Notwithstanding any provision of subdivision (1) to the contrary, the revenue generated by ten dollars (\$10.00) of the twenty dollar (\$20.00) fine under subdivision (3)(A) for a person's first conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. The remaining ten dollars (\$10.00) of such twenty dollar (\$20.00) fine for such person's first conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation in accordance with subdivision (1).

(C) The revenue generated from such person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation in accordance with subdivision (1).

SECTION 4. Tennessee Code Annotated, Section 55-9-603, is amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) No clerk's fee nor court costs, including but not limited to any statutory fees of officers, shall be imposed or assessed against anyone convicted of a violation of this section. No litigation tax levied pursuant to the provisions of title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this section.

SECTION 5. This act shall take effect July 1, 2000, the public welfare requiring it.

Senator Tommy G. Haun	Representative Robb Robinson
Senator Jerry W. Cooper	Representative Tommy Head
Senator Stephen I. Cohen	Representative Chris Newton

Rep. Newton moved that the Report of the Conference Committee on **Senate Bill No. 3081** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

**\*Senate Bill No. 2794** -- Children - Broadens child bicycle helmet requirements to include any highway, street or sidewalk; Amends TCA Title 55, Chapter 52. by \*Herron, \*Kurita. (HB3194 by \*Sands, \*Caldwell, \*Hood, \*Eckles, \*Fowlkes, \*Williams (Williamson), \*Arriola, \*McDonald, \*Maddox, \*Robinson, \*Newton, \*McMillan, \*Harwell, \*Roach, \*Frale, \*Turner (Hamilton), \*Walker (Rhea), \*Bone)

Further consideration of Senate Bill No. 2794 previously considered on June 6, 2000 and June 7, 2000, at which time it was reset for today's Message Calendar.

CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 2794

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 2794 (House Bill No. 3194) has met and recommends that the following amendments be adopted:

House Amendment No. 1

House Amendment No. 2

The Committee further recommends that the first new section added by House Amendment No. 5 be adopted.

The Committee further recommends that the second new section added by House Amendment No. 5 be deleted based on the advice of legal counsel that such section renders this legislation "constitutionally suspect".

Senator Roy Herron  
Senator Rosalind Kurita  
Senator Randy McNally

Representative Diane Black  
Representative Mary Ann Eckles  
Representative Bobby Sands

Rep. Sands moved that the Report of the Conference Committee on **Senate Bill No. 2794** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.....	88
Noes .....	0
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Beavers, McKee, Tidwell -- 3.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE MESSAGE

**House Bill No. 1059** -- Consumer Protection - Makes loans secured by owner-occupied residences subject to certain conditions. Amends TCA Title 47, Chapter 18. by \*Brown, \*Turner (Shelby), \*Brooks. (\*SB1151 by \*Crutchfield)

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1059

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1059 (Senate Bill No. 1151) has met and recommends that the following amendments be deleted: House Amendment No. 1, and Senate Amendment Nos. 1 and 2.

The Committee further recommends that the following amendment be adopted:

By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 24, is amended by adding the following as a new section:

Section 47-18-2404. (a)(1) Any solicitation to lend money to a person for the consolidation or payment of other indebtedness which will result in that person's owner-occupied residence becoming collateral or security for the loan or payment of money shall clearly state, in boldface type at least as large as any used in the solicitation otherwise, or by a separate clearly stated written notice, in boldface type at least ten (10) points, the following:

(A) **Failure to make timely payments or to repay the loan will result in the borrower's home being subject to foreclosure.**

(B) **Additional information on debt consolidation loans is available from the Tennessee Department of Commerce & Insurance, Division of Consumer Affairs at 1-800-342-8385.**

(2) Such solicitation shall, in like manner, state either one of the following, as appropriate:

(A) **It is the obligation of the lender to make payments to prior lenders; or**

**(B) It is the obligation of the borrower to make payments to prior lenders.**

(b) The provisions of this section shall apply to all solicitations, whether made through the mails, in person, by telephone, fax, or electronically, or through any other agency or medium to a resident of Tennessee. If the solicitation is made in person or by telephone, then the person making the solicitation shall clearly express the notices and obligations required to be given under the provisions of subsection (a)(1) and (2).

(c) Failure to comply with the provisions of this section shall subject the lender to damages up to three (3) times the amount of actual damages pursuant to §47-18-109.

(d) The notices and obligations described in subsection (a) shall be clearly expressed in any debt consolidation contract or loan agreement consolidating such loans, in boldface type of at least ten (10) points, in immediate proximity to the space reserved for the signature of the borrower.

(e) The provisions of this section shall not apply to any state or national bank, credit union, savings and loan, or to any subsidiary or affiliate of any such state or national bank, credit union, savings and loan or any person or entity licensed by or subject to regulation by the Department of Financial Institutions.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

Senator Ward Crutchfield	Representative Tommie Brown
Senator Bill Clabough	Representative Jamie Hagood
Senator Thelma Harper	Representative Larry Turner

Rep. Brown moved that the Report of the Conference Committee on **House Bill No. 1059** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 3027** -- Public Contracts - Clarifies that state submission of bid or intent to award bid creates no rights or entitlement for public bidder; requires signature for bidding protest; modifies other public contract bidding provisions Amends TCA Title 12, Chapter 3 and Sections 12-4-109 and 12-4-110. by \*Whitson. (SB3099 by \*McNally)

#### Senate Amendment No. 8

AMEND House Bill No. 3027 by adding the following as a new, appropriately designated section preceding the last two sections and by redesignating subsequent sections accordingly:

SECTION 10. Tennessee Code Annotated, Section 12-4-109, is amended by inserting a new subsection (d) as follows:

(d) The procuring department or agency shall be responsible for the effective management of all contracts procured herein under its purview. Notwithstanding, the commissioner of finance and administration, in the manner consistent with the approval of regulations promulgated in Tennessee Code Annotated, Section 12-4-109(a)(1)(A), shall develop regulations that define service contracting fundamentals, including, but not limited to, contract management and monitoring of vendors, grants and subrecipient relationships. The regulations for monitoring shall, at a minimum, require the filing of the monitoring plan with the department of finance and administration before any contracts are approved.

Rep. Whitson moved that the House concur in Senate Amendment(s) No(s). 8 to **House Bill No. 3027**, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	5
Present and not voting .....	1

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Armstrong, Brooks, Brown, Miller, Towns -- 5.

Representatives present and not voting were: Kernell -- 1.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 2117** -- Firearms and Ammunition - Expands circumstances under which law enforcement officer may carry weapons. Amends TCA Title 39, Chapter 17, Part 13, by \*Buck, \*Hargett, \*Godsey, \*Windle, \*Todd, \*Pleasant, \*Sharp, \*Black, \*Patton, \*Dunn, \*Bittle, \*Kent, \*Cole (Carter), \*Pinion, \*Sargent, \*Langster, \*Boyer, \*Hargrove, \*Sands, \*White. (SB2587 by \*Burks, \*Blackburn, \*Williams)

#### Senate Amendment No. 1

AMEND House Bill No. 2117 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following language as a new, appropriately designated section:

(a)(1) Notwithstanding any provision of law to the contrary, any law enforcement officer may carry firearms at all times and in all places within the State of Tennessee, on-duty or off-duty, regardless of the officer's regular duty hours or assignments, except as provided by subdivision (3), federal law, lawful orders of court or the written directives of the executive supervisor of the employing agency.

(2) The authority conferred by this section is expressly intended to and shall supersede restrictions placed upon law enforcement officers' authority to carry firearms by other sections within this part.

(3) The authority conferred by this section shall not extend to a law enforcement officer:

(A) Who is permitted by agency policy to carry a firearm while consuming beer or an alcoholic beverage or while under the influence of beer, an alcoholic beverage, or a controlled substance; or

(B) Who is not engaged in the actual discharge of official duties as a law enforcement officer while within the confines of an establishment where beer or alcoholic beverages are sold for consumption on-the-premises; or

(C) Who is not engaged in the actual discharge of official duties as a law enforcement officer while attending a judicial proceeding.

(4) For purposes of this section, a "law enforcement officer" means a person who is a full-time employee of a federal, state, county or local government or public office in a position authorized by the laws of this state to carry a firearm and to make arrests for violations of some or all of the laws of this state.

SECTION 2. Tennessee Code Annotated, Section 39-17-1306(c), is amended by deleting subdivision (1).

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

### **Senate Amendment No. 3**

AMEND House Bill No. 2117 by deleting the new subpart added to subsection (a)(3) by House Amendment No. 3 and by substituting instead the following as a new subpart to subsection (a)(3) in the amendatory language of SECTION 1 of the bill as amended:

(\_\_ ) Who carries a firearm onto school grounds or inside a school building during regular school hours unless such officer immediately informs the principal that such officer will be present on school grounds or inside the school building and in possession of a firearm. If the principal is unavailable, the notice may be given to an appropriate administrative staff person in the principal's office.

### **Senate Amendment No. 6**

AMEND House Bill No. 2117 by adding the following language as a new, appropriately designated subdivision to the amendatory language of Section 1(a):

(5) In counties having a population of not less than thirty thousand two hundred (30,200) nor more than thirty thousand four hundred seventy-five (30,475) or not less than one hundred eighteen thousand four hundred (118,400) nor more than one hundred eighteen thousand seven hundred (118,700) according to the 1990 federal census or any subsequent federal census, the authority conferred by this section shall only apply to law enforcement officers who are law enforcement officers for those counties or law enforcement officers for municipalities located therein.

AND FURTHER AMEND BY adding the following language as a new, appropriately designated section immediately preceding the effective date section:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**Senate Amendment No. 7**

AMEND House Bill No. 2117 by deleting the amendatory language of Section 1(a)(3)(A) in its entirety and by substituting instead the following:

(a)(3)(A) Who is consuming beer or an alcoholic beverage or who is under the influence of beer, an alcoholic beverage, or a controlled substance; or

**Senate Amendment No. 9**

AMEND House Bill No. 2117 By deleting the amendatory language of Section 1(a)(4) in its entirety and by substituting instead the following:

(a)(4) For purposes of this section, a "law enforcement officer" means a person who is a full-time employee of the state in a position authorized by the laws of this state to carry a firearm and to make arrests for violations of some or all of the laws of this state, or a full-time police officer who has been certified by the peace officer standards and training commission.

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 1, 3, 6, 7 and 9 to **House Bill No. 2117**, which motion prevailed by the following vote:

Ayes ..... 91  
Noes ..... 1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniell, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Brooks -- 1.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Joint Resolution No. 831** -- Highway Signs - "Bill McAfee Bridge," U.S. 27 at Morrison Springs Road in Hamilton County. by \*Walker (Rhea).

**Senate Amendment No. 1**

AMEND House Joint Resolution No. 831 Amend by adding the letter and punctuation "H." between the words "Bill" and "McAfee" wherever they appear.

Rep. Walker moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 831**, which motion prevailed by the following vote:

Ayes..... 92  
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE MESSAGE

**House Bill No. 2885** -- Taxes, Privilege - Redirects certain real estate transfer tax revenue to state parks system rather than local parks land acquisition fund and state lands acquisition fund. Amends TCA Section 67-4-409. by \*Rinks, \*Ridgeway, \*Gunnels, \*McMillan, \*Baird. (\*SB3003 by \*Cooper, \*Burchett, \*Burks, \*Davis L, \*Graves, \*Kyle, \*Kurita, \*McNally, \*Williams)

Rep. Rinks moved that House Bill No. 2885 be reset for the Message Calendar on June 10, 2000, which motion prevailed.

#### HOUSE ACTION ON SENATE MESSAGE

**\*Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by \*Rochelle. (HB3067 by \*Kisber, \*McMillan)

Rep. Kisber moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 8 and 10 to **Senate Bill No. 2738**, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2472** -- Motor Vehicles, Titling and Registration - Authorizes department of safety to administratively issue collegiate plates for two-year and four-year colleges and universities located within the several states and District of Columbia; removes requirement that two-year college must be in-state to qualify for issuance Amends TCA Title 55, Chapter 4. by \*Haun. (HB3107 by \*Fowlkes, \*Head, \*Bowers, \*Brooks)

Rep. Fowlkes moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3 to **Senate Bill No. 2472**, which motion prevailed.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2472.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Haun, Cooper and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2472.

RUSSELL HUMPHREY, Acting Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2377** -- Motor Vehicles, Titling and Registration - Authorizes issuance of license plates for PGA Junior Golf Amends TCA Title 55, Chapter 4. by \*Blackburn, \*Person, \*Dixon. (HB2357 by \*Sargent, \*Williams (Williamson), \*Westmoreland, \*Roach, \*Davis (Cocke), \*Whitson, \*Todd)

Rep. Sargent moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2377**, which motion prevailed.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2377.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Haun, Cooper and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2377.

RUSSELL HUMPHREY, Acting Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2210** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for Tennessee state guard; allocates 50 percent of funds produced from sale thereof to Tennessee state guard Amends TCA Title 55, Chapter 4. by \*Crowe, \*Dixon, \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, P, \*Wilder, \*Womack. (HB2202 by \*Patton, \*Windle, \*McDonald, \*Bone, \*Ford S, \*Curtiss, \*DeBerry J)

Rep. Patton moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2210**, which motion prevailed.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2210.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Haun, Cooper and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2210.

RUSSELL HUMPHREY, Acting Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2183** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for Eagle Foundation; allocates 50 percent of funds produced from sale thereof to such foundation to preserve American bald eagle Amends TCA Title 55, Chapter 4. by \*Clabough, \*Dixon. (HB2191 by \*Montgomery, \*Mumpower, \*Godsey, \*Buttry, \*Baird, \*Sharp)

Rep. Montgomery moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2183**, which motion prevailed.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2183.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Haun, Cooper and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2183.

RUSSELL HUMPHREY, Acting Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 3174** -- Motor Vehicles, Titling and Registration - Reclassifies City of Oak Ridge cultural plate as new special earmarked license plate; earmarks 50 percent of funds produced from sale thereof to City of Oak Ridge school system Amends TCA Title 55, Chapter 4. by \*McNally, \*Davis L. (\*HB2789 by \*Caldwell)

Rep. Caldwell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 3174**, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2051** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Dr. Martin Luther King, Jr. new specialty earmarked license plates; earmarks portion of revenues from sale thereof to the National Civil Rights Museum. Amends TCA Title 55, Chapter 4. by \*Cohen, \*Dixon, \*Ford J, \*Harper, \*Wilder, \*Leatherwood. (HB2485 by \*Turner (Shelby), \*Towns, \*Chumney, \*DeBerry J, \*Bowers, \*Miller L, \*Pleasant, \*Cooper B, \*Brooks)

Rep. Turner (Shelby) moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2051**, which motion prevailed.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*Senate Bill No. 2180** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Memphis Zoo new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Memphis Zoological Society for acquisition of giant pandas. Amends TCA Title 55, Chapter 4. by \*Cohen, \*Kyle, \*Dixon. (HB2200 by \*Chumney, \*Turner (Shelby), \*Pruitt, \*Miller L, \*Brooks, \*Kernell)

Rep. Turner (Shelby) moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2180**, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2181** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Memphis Redbirds baseball club new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to such club for community outreach programs in Memphis and Shelby County Amends TCA Title 55, Chapter 4. by \*Cohen, \*Kyle, \*Dixon. (HB2190 by \*Hassell, \*Kent)

Rep. Hassell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2181**, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2734** -- Public Funds and Financing - Enacts "Tennessee Millennium Trust Act." Amends TCA Title 9, Chapter 4. by \*Rochelle. (HB2446 by \*Head, \*Davidson, \*Kerr, \*Bowers, \*Dunn, \*Kernell, \*Walker (Rhea), \*Lewis, \*Ferguson, \*Baird, \*Givens, \*Windle, \*Buck, \*McMillan, \*West, \*Williams (Williamson), \*McDonald, \*Fraleigh, \*Whitson, \*Bone, \*Curtiss)

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**MESSAGE CALENDAR, CONTINUED**

Rep. Head moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2734**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 2734**

Pursuant to **Rule No. 73**, Representative Head moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2734, which motion prevailed.

The Speaker appointed Representatives Head, Givens, McKee, Armstrong, Bone and Walker as the House members of the Conference Committee on Senate Bill No. 2734.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 2598** -- Criminal Offenses - Requires person arrested for aggravated assault of certain victims be tested for HIV. Amends TCA Title 39, Chapter 13. by \*Blackburn, \*Dixon, \*Person, \*Burks. (\*HB2407 by \*Beavers, \*Todd)

Rep. Beavers moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to **Senate Bill No. 2598**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 2598**

Pursuant to **Rule No. 73**, Representative Beavers moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2598, which motion prevailed.

The Speaker appointed Representatives Beavers, S. Jones and Windle as the House members of the Conference Committee on Senate Bill No. 2598.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 1269** -- Surveyors - Requires professional land surveyor to make reasonable efforts to notify adjoining landowners that survey will be performed instead of only notifying adjoining landowners upon whose land it is necessary to enter. Amends TCA Section 62-18-124. by \*Springer, P, \*Cooper. (\*HB780 by \*McDaniel, \*Cooper B)

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**MESSAGE CALENDAR, CONTINUED**

Rep. McDaniel moved that Senate Bill No. 1269 be reset for the Message Calendar on June 10, 2000, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2123** -- Local Government, General - Standardizes authorized investments of idle funds irrespective of form of government. Amends TCA Section 5-8-301; Section 6-56-106 and Title 9, Chapter 21. by \*Cooper. (HB2330 by \*Kisber)

Rep. Kisber moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 2123**, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2019** -- Sunset Laws - Department of personnel, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by \*Springer, P. (HB2081 by \*Kernell, \*Garrett, \*Brooks)

Rep. Kernell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to **Senate Bill No. 2019**, which motion prevailed.

REGULAR CALENDAR, CONTINUED

**House Bill No. 2651** -- Sentencing - Adds enhancement factor by which defendant's sentence may be increased within appropriate range that defendant abused position of trust with parent or guardian of child victim that significantly facilitated commission of offense. Amends TCA Title 40, Chapter 35. by \*McMillan. (\*SB2273 by \*Rochelle, \*Person, \*Graves, \*Davis L, \*Burks, \*Kurita, \*Williams)

Further consideration of House Bill No. 2651 previously considered on today's Calendar.

Rep. McMillan moved that House Bill No. 2651 be held on the Clerk's desk, which motion prevailed.

**\*Senate Bill No. 2040** -- Administrative Procedure - Extends agency rules set to expire under provisions of UAPA. by \*Springer, P. (HB2054 by \*Kernell, \*Garrett, \*Brooks)

Further consideration of Senate Bill No. 2040 previously considered on today's Calendar.

Rep. Kernell moved that **Senate Bill No. 2040** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2462** -- Workers' Compensation - Expands panel of physicians and surgeons as designated by employer to four instead of three, one of whom must be a doctor of chiropractic, if injury is back injury. Amends TCA Section 50-6-204. by \*Odom, \*Jones, S., \*West, \*Fraley. (\*SB2709 by \*Cooper)

**Senate Amendment No. 1**

AMEND House Bill No. 2462 By deleting the period at the end of sub-item (B) of Section 1 and adding the following language:

; provided, however, no more than twelve (12) visits to such doctor of chiropractic shall be approved per back injury; provided further, the provisions of this sub-item shall not apply to state or local government employees.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The workers' compensation advisory committee shall file a report with the chairman of the Senate Commerce, Labor & Agriculture Committee and the House Consumer and Employee Affairs Committee no later than September 1, 2002, on the effect the implementation of this act has had on the workers compensation pool.

**Senate Amendment No. 4**

AMEND House Bill No. 2462 INSERT--

SECTION \_\_\_\_\_. This bill shall sunset-terminate on 12/31/01.

Rep. Odom moved that the House concur in Senate Amendment(s) No(s). 1 and 4 to **House Bill No. 2462**, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

**\*House Bill No. 1326** -- Children - Establishes birth defects registry. Amends TCA Title 68, Chapter 5, Part 5. by \*Eckles, \*Caldwell, \*Davidson, \*Hood, \*Bone, \*Robinson, \*Walley, \*McDonald, \*Fowlkes, \*Williams (Williamson), \*Head, \*Kisber, \*McMillan, \*Hargrove, \*Armstrong, \*Turner (Hamilton), \*Curtiss, \*Rhinehart, \*Hagood, \*Harwell, \*Godsey, \*Mumpower, \*White, \*Fraleigh, \*Ridgeway, \*Maddox, \*Fitzhugh, \*Jackson, \*Tidwell, \*DeBerry L., \*Bowers, \*Pruitt, \*Langster, \*Cooper B., \*Towns, \*Hassell, \*Chumney, \*Jones, S.. (SB1678 by \*Harper, \*Herron, \*Crowe, \*Kurita, \*Williams)

CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 1326

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1326 (Senate Bill No. 1678) has met and recommends that the following amendments be adopted:

House Amendments 1 and 2, and Senate Amendments 5, 6, and 7; and that the following amendment be deleted: Senate Amendment 1.

The Committee further recommends that the following amendment be adopted:

By adding the following language as a new subdivision (4) to subsection (e) of the amendatory language of Section 1:

(4) (A) Any individual who willfully discloses information made confidential by this section, unless permitted to do so by subdivisions (1) and (3), has committed a Class A misdemeanor.

(B) Any individual who negligently discloses information made confidential by this section, unless permitted to do so by subdivisions (1) and (3), has committed a Class B misdemeanor.

Senator Thelma Harper  
Senator Lincoln Davis  
Senator Rosalind Kurita

Representative Mary Ann Eckles  
Representative Gene Caldwell  
Representative Diane Black

Rep. Eckles moved that the Report of the Conference Committee on **House Bill No. 1326** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2584** -- Real Property - Establishes guidelines for appraising real property that is rented or leased to low-income families. Amends TCA Title 13 and Title 67. by \*Briley, \*Jones U (Shelby), \*Cooper B, \*Chumney, \*Armstrong, \*Bowers, \*McKee, \*Eckles, \*Brooks, \*Towns. (\*SB2481 by \*Haynes, \*Elsea, \*Crutchfield, \*Harper, \*Ford J, \*Womack, \*Williams, \*Wilder, \*Dixon)

### Senate Amendment No. 2

AMEND House Bill No. 2584 by adding the following language ", as of the date of this act," after the word "participating" and before the language "in the low income housing" in the second sentence of the amendatory language of SECTION 1 of the bill as amended.

AND FURTHER AMEND by adding the following language "property" after the word "actual" and before the language "taxes due" in the second sentence of the amendatory language of SECTION 1 of the bill as amended.

AND FURTHER AMEND by deleting the period (.) at the end of the second sentence of the amendatory language of SECTION 1 of the bill as amended and substituting instead the following: ", but after 1995 and based on the final applications."

Rep. Briley moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2584**, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 3004** -- Mental Illness - Renames department of mental health and mental retardation to department of mental health and developmental disabilities; replaces "mental retardation" with "developmental disabilities"; transfers and recodifies TCA provisions pertaining to mentally ill juveniles; revises references to affected TCA sections. Amends TCA Titles 4, 33, and 37. by \*Eckles, \*Walley, \*Hood, \*Maddox, \*DeBerry L., \*Caldwell, \*Turner (Hamilton), \*Black, \*Montgomery, \*Davis (Washington), \*Pruitt, \*Arriola, \*Ferguson, \*Hargett, \*Jones, S., \*Odom, \*Armstrong, \*Cole (Dyer), \*Hargrove, \*Kisber, \*Naifeh, \*Lewis, \*Godsey, \*Langster, \*Pleasant, \*Walker (Rhea), \*Cooper B. (SB3076 by \*Person, \*Blackburn, \*Burks, \*Henry, \*Kurita, \*Kyle)

### Senate Amendment No. 4

AMEND House Bill No. 3004 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 33, Chapter 3, Part 1, is amended by adding the following language as a new appropriately designated section:

Section \_\_\_\_\_. A licensee or provider under this title may not discourage or preclude a service recipient from exercising the right to religious expression and shall inform each service recipient in a residential environment of this right. A licensee or provider, or a provider of religious service may provide transportation for a service recipient under this section.

Rep. Eckles moved that the House concur in Senate Amendment(s) No(s). 4 to **House Bill No. 3004**, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE MESSAGE

**\*House Bill No. 2171** -- County Government - Authorizes counties to enact resolutions to regulate nuisances and nuisance type problems. Amends TCA Section 5-1-118. by \*Baird, \*Caldwell, \*Gunnels, \*Kerr, \*Dunn. (SB2773 by \*McNally)

Rep. Baird requested that House Bill No. 2171 be moved to the heel of the Supplemental Message Calendar.

#### HOUSE ACTION ON SENATE MESSAGE

**Senate Bill No. 3095** -- Parks, Natural Areas Preservation - Authorizes, in certain circumstances, state parks to purchase goods or supplies without following requirements for public purchases; specifies authorized uses of revenue generated by fees charged by parks. Amends TCA Title 11, Chapter 3. by \*Ramsey. (\*HB3023 by \*McAfee)

Rep. McAfee requested that Senate Bill No. 3095 be moved to the heel of the Supplemental Message Calendar.

#### HOUSE ACTION ON SENATE MESSAGE

**\*Senate Bill No. 2959** -- Fireworks - Equalizes all permit fees charged by state fire marshal for fireworks, except for display, to that presently paid by manufacturer, distributor and retailer, by increasing fee wholesaler pays from \$250 to \$750 and by increasing fee seasonal retailer pays from \$25.00 to \$750. Amends TCA Section 68-104-102. by \*Haynes. (HB2847 by \*Garrett)

Rep. Garrett moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 and 2 to **Senate Bill No. 2959**, which motion prevailed.

#### RECESS MOTION

On motion, the House stood in recess until 5:30 p.m.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2619.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1, 2 and 3.

The Speaker appointed a Conference Committee composed of Senators Cooper, Cohen and Haun to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2619.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**June 9, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 833, 834, 835, 839 and 840.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 833, 834, 835, 839 and 840; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2889.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**June 9, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 3081.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3107.

The Senate concurred in House Amendment(s) No(s). 1, 4 and 3 as amended.

The Senate amended House Amendment(s) No(s). 3 with Senate Amendment No. 16, and concurred in House Amendment No. 3, as amended.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3049; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3018 3081, 3332, 3334, 3348 and 3359; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**June 9, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2807 and 2969.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for June 9, 2000:

**House Resolution No. 281** -- Memorials, Interns - Lucy Xuan Du. by \*Hagood.

**House Resolution No. 283** -- Memorials, Personal Achievement - Cristen Mills, Outstanding Teen, Southeastern Regional Teen Conference. by \*DeBerry L, \*Langster.

**House Joint Resolution No. 836** -- Memorials, Academic Achievement - Travallion De'Vonnie Jackson, 4th Grade Graduate. by \*Brooks.

**FRIDAY, JUNE 9, 2000 — EIGHTY-EIGHTH LEGISLATIVE DAY**

**House Joint Resolution No. 837** -- Memorials, Academic Achievement - Elizabeth Fitzhugh, Salutatorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 838** -- Memorials, Academic Achievement - Rebekah Kirkpatrick, Valedictorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 841** -- Memorials, Public Service - J.C. "Jay" Siegrist. by \*Cole (Dyer).

**House Joint Resolution No. 842** -- Memorials, Retirement - Jane Davis Rader. by \*Montgomery.

**House Joint Resolution No. 843** -- Memorials, Professional Achievement - Dr. Vicki Wallace, National Distinguished Principal. by \*Head, \*McMillan.

**House Joint Resolution No. 844** -- Memorials, Retirement - Representative Doug Jackson. by \*Ridgeway.

**House Joint Resolution No. 845** -- Memorials, Retirement - Phylliss R. Boyce. by \*Winningham.

**House Joint Resolution No. 846** -- Memorials, Retirement - State Representative Doug Jackson. by \*Ridgeway.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Supplemental Consent Calendar for June 9, 2000:

**Senate Joint Resolution No. 910** -- Memorials, Professional Achievement - Ina F. Maxwell, Pleasant Hill Elementary School Teacher of the Year for grades 5-8. by \*Davis L.

**Senate Joint Resolution No. 912** -- Memorials, Personal Occasion - Samuel Bacon, 100th Birthday. by \*Burks.

**Senate Joint Resolution No. 913** -- Memorials, Academic Achievement - Jacquelyn Suzanne Still, Valedictorian, Coffee County High School. by \*Burks.

**Senate Joint Resolution No. 914** -- Memorials, Academic Achievement - Liza St. John, Salutatorian, Coffee County Central High School. by \*Burks.

**Senate Joint Resolution No. 915** -- Memorials, Academic Achievement - Matthew Wayne Sullivan, Valedictorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 916** -- Memorials, Academic Achievement - Emily Nicole Ferguson, Salutatorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 917** -- Memorials, Academic Achievement - Rebecca Lea Smith, Valedictorian, Macon County High School. by \*Burks.

**FRIDAY, JUNE 9, 2000 — EIGHTY-EIGHTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 918** -- Memorials, Academic Achievement - Lindsey Katherine Richardson, Salutatorian, Macon County High School. by \*Burks.

**Senate Joint Resolution No. 919** -- Memorials, Academic Achievement - Carla Sponaugle, Valedictorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 920** -- Memorials, Academic Achievement - Cheryl Lowe, Salutatorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 921** -- Memorials, Academic Achievement - Crystal O'Hara, Valedictorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 922** -- Memorials, Academic Achievement - Travjs Luna, Salutatorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 923** -- Memorials, Academic Achievement - Kathleen Rose Cabral, Valedictorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 924** -- Memorials, Recognition - Whites Creek High School Air Force Junior ROTC. by \*Harper, \*Haynes.

**Senate Joint Resolution No. 925** -- Memorials, Academic Achievement - Jeffrey Ingram, Salutatorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 927** -- Memorials, Sports - Oakland High School baseball team, 2000 TSSAA Class AAA state champions. by \*Womack.

**Senate Joint Resolution No. 928** -- Memorials, Sports - Northwest Airlines Basketball Team, Tennessee Ambassadors. by \*Leatherwood.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

**ROLL CALL DISPENSED WITH**

On motion of Rep. Hargrove, the roll call was dispensed with.

**SUPPLEMENTAL MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2854** -- Housing - Redefines "project" under special corporations statute to remove requirement that project's bonds could only be sold to certain federal government sponsored mortgage entities for certain housing projects in Shelby County. Amends TCA Section 48-101-301. by \*Bowers. (\*SB2809 by \*Cohen, \*Dixon, \*Crutchfield, \*Burchett, \*Harper)

Rep. Bowers moved that House Bill No. 2854 be returned to the Senate, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2855** -- Corporations, Not for Profit - Redefines "multi-family housing facilities", for purposes of housing facility corporations, to remove requirement that family units be qualified for 501(c)(3) bonds. Amends TCA Section 48-101-301. by \*Bowers. (\*SB2859 by \*Cohen, \*Dixon)

Rep. Bowers moved that House Bill No. 2855 be returned to the Senate, which motion prevailed.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 2171** -- County Government - Authorizes counties to enact resolutions to regulate nuisances and nuisance type problems. Amends TCA Section 5-1-118. by \*Baird, \*Caldwell, \*Gunnels, \*Kerr, \*Dunn. (SB2773 by \*McNally)

Further consideration of House Bill No. 2171 previously considered on today's Message Calendar.

**Senate Amendment No. 1**

AMEND House Bill No. 2171 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-1-118, is amended by designating the existing language as subsection (a), and by adding the following language as new subsections to be designated as indicated:

(b) Nothing in this part shall be construed as granting counties the power to prohibit or regulate normal agricultural activities.

(c)(1) In addition to those powers granted to counties pursuant to subsection (a), any county having a population of not less than thirty-five thousand seventy-five (35,075), nor more than thirty-five thousand two hundred (35,200); not less than sixty-eight thousand one hundred (68,100) nor more than sixty-eight thousand four hundred (68,400); or not less than eighty-five thousand eight hundred (85,800) nor more than eighty-six thousand one hundred (86,100), according to the 1990 federal census or any subsequent federal census, may, by adoption of a resolution by two-thirds (2/3) vote of their respective legislative bodies, exercise those powers granted to all or certain municipalities by Tennessee Code Annotated, Section 6-2-201, subdivisions (22) and (23), except as provided in subdivision (2) and subsection (b). The powers granted to counties in this subsection apply only within the unincorporated areas. Nothing in this act may be construed to allow any county to prohibit or in any way impede any municipality in exercising any power or authority the municipality may lawfully exercise.

(2) The powers granted by subdivisions (22) and (23) shall not apply to those activities, businesses, or uses of property and business occupations and practices which are subject to regulation pursuant to Tennessee Code Annotated, Title 57, Chapter 5; Title 57, Chapter 6; Title 59, Chapter 8; Title 60, Chapter 1; Title 68, Chapters 201 through 221; or Title 69, Chapters 3, 8, 11 and 12.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

#### **Senate Amendment No. 2**

AMEND House Bill No. 2171 by adding the following language as subdivision (c)(3) in Section 1 of Senate State and Local Committee Amendment #1:

(c)(3) The powers granted to counties in this subsection apply only where such counties have adopted comprehensive zoning ordinances.

Rep. Baird moved that the House nonconcur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 2171**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

MOTION TO RECONSIDER

Rep. McAfee moved to lift from the table the motion to reconsider action in passing Senate Bill No. 3095, which motion prevailed.

**Senate Bill No. 3095** -- Parks, Natural Areas Preservation - Authorizes, in certain circumstances, state parks to purchase goods or supplies without following requirements for public purchases; specifies authorized uses of revenue generated by fees charged by parks. Amends TCA Title 11, Chapter 3. by \*Ramsey. (\*HB3023 by \*McAfee)

Rep. McAfee moved to reconsider action in passing Senate Bill No. 3095, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment(s) No(s). 3. On motion, Amendment(s) No(s). 3 was withdrawn.

Rep. McAfee moved that **Senate Bill No. 3095** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Brooks, Brown -- 2.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

**Senate Bill No. 2889** -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by \*Person. (\*HB2111 by \*Buck)

Rep. Buck moved that Senate Bill No. 2889 be returned to the Senate, which motion prevailed.

**SUPPLEMENTAL CONSENT CALENDAR**

**House Resolution No. 281** -- Memorials, Interns - Lucy Xuan Du. by \*Hagood.

**House Resolution No. 283** -- Memorials, Personal Achievement - Cristen Mills, Outstanding Teen, Southeastern Regional Teen Conference. by \*DeBerry L, \*Langster.

**House Joint Resolution No. 836** -- Memorials, Academic Achievement - Travallion De'Vonne Jackson, 4th Grade Graduate. by \*Brooks.

**House Joint Resolution No. 837** -- Memorials, Academic Achievement - Elizabeth Fitzhugh, Salutatorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 838** -- Memorials, Academic Achievement - Rebekah Kirkpatrick, Valedictorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 841** -- Memorials, Public Service - J.C. "Jay" Siegrist. by \*Cole (Dyer).

**House Joint Resolution No. 842** -- Memorials, Retirement - Jane Davis Rader. by \*Montgomery.

**House Joint Resolution No. 843** -- Memorials, Professional Achievement - Dr. Vicki Wallace, National Distinguished Principal. by \*Head, \*McMillan.

**House Joint Resolution No. 844** -- Memorials, Retirement - Representative Doug Jackson. by \*Ridgeway.

**House Joint Resolution No. 845** -- Memorials, Retirement - Phylliss R. Boyce. by \*Winningham.

**House Joint Resolution No. 846** -- Memorials, Retirement - State Representative Doug Jackson. by \*Ridgeway.

**Senate Joint Resolution No. 910** -- Memorials, Professional Achievement - Ina F. Maxwell, Pleasant Hill Elementary School Teacher of the Year for grades 5-8. by \*Davis L.

**Senate Joint Resolution No. 912** -- Memorials, Personal Occasion - Samuel Bacon, 100th Birthday. by \*Burks.

**Senate Joint Resolution No. 913** -- Memorials, Academic Achievement - Jacquelyn Suzanne Still, Valedictorian, Coffee County High School. by \*Burks.

**Senate Joint Resolution No. 914** -- Memorials, Academic Achievement - Liza St. John, Salutatorian, Coffee County Central High School. by \*Burks.

**Senate Joint Resolution No. 915** -- Memorials, Academic Achievement - Matthew Wayne Sullivan, Valedictorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 916** -- Memorials, Academic Achievement - Emily Nicole Ferguson, Salutatorian, Red Boiling Springs High School. by \*Burks.

**Senate Joint Resolution No. 917** -- Memorials, Academic Achievement - Rebecca Lea Smith, Valedictorian, Macon County High School. by \*Burks.

**Senate Joint Resolution No. 918** -- Memorials, Academic Achievement - Lindsey Katherine Richardson, Salutatorian, Macon County High School. by \*Burks.

**Senate Joint Resolution No. 919** -- Memorials, Academic Achievement - Carla Sponaugle, Valedictorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 920** -- Memorials, Academic Achievement - Cheryl Lowe, Salutatorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 921** -- Memorials, Academic Achievement - Crystal O'Hara, Valedictorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 922** -- Memorials, Academic Achievement - Travjs Luna, Salutatorian, Cannon County High School. by \*Burks.

**Senate Joint Resolution No. 923** -- Memorials, Academic Achievement - Kathleen Rose Cabral, Valedictorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 924** -- Memorials, Recognition - Whites Creek High School Air Force Junior ROTC. by \*Harper, \*Haynes.

**Senate Joint Resolution No. 925** -- Memorials, Academic Achievement - Jeffrey Ingram, Salutatorian, DeKalb County High School. by \*Burks.

**Senate Joint Resolution No. 927** -- Memorials, Sports - Oakland High School baseball team, 2000 TSSAA Class AAA state champions. by \*Womack.

**Senate Joint Resolution No. 928** -- Memorials, Sports - Northwest Airlines Basketball Team, Tennessee Ambassadors. by \*Leatherwood.

#### **RESOLUTION WITHDRAWN**

Rep. Ridgeway moved that **House Joint Resolution No. 844** be withdrawn from the House, which motion prevailed.

#### **CONSENT CALENDAR, CONTINUED**

Rep. Ridgeway moved that all members voting aye on House Joint Resolution No. 846 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 95  
 Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

## SUPPLEMENTAL MESSAGE CALENDAR, CONTINUED

### HOUSE ACTION ON SENATE MESSAGE

**Senate Bill No. 2619** -- Motor Vehicles, Titling and Registration - Authorizes issuance of "Preservation Through Restoration" new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to benefit historical preservation and restoration efforts in Tennessee Amends TCA Title 55, Chapter 4. by \*McNally, \*Williams. (\*HB2205 by \*Tindell, \*West, \*Arriola, \*Chumney, \*Armstrong, \*Dunn, \*Buttry, \*Bittle, \*Hagood, \*Boyer)

Rep. Tindell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1, 2 and 3 to **Senate Bill No. 2619**, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 2619

Pursuant to **Rule No. 73**, Representative Tindell moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2619, which motion prevailed.

The Speaker appointed Representatives Head, Bittle and Fowlkes as the House members of the Conference Committee on Senate Bill No. 2619.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 3107** -- Children - Rewrites child welfare agency provisions; establishes new provisions for child care agencies and programs. Amends TCA Titles 4, 33, 36, 37, 38, 39, 40, 41, 49, 68 and 71. by \*Herron, \*Person, \*Ford J. (\*HB3035 by \*Chumney, \*Walley, \*DeBerry L, \*Naifeh, \*Harwell, \*Langster, \*Arriola, \*Hargett, \*Todd, \*Caldwell, \*Kisber, \*Lewis, \*Rinks, \*Cole (Dyer))

On motion, Senate Bill No. 3107 was moved to the heel of the Supplemental Message Calendar.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 3049** -- Transportation, Dept. of - Authorizes department to allow installation of underground fiber optic cable within rights-of-way of highways. Amends TCA Title 54, Chapter 16. by \*Ford S, \*Wood, \*Baird, \*Montgomery, \*Buttry, \*Walker (Rhea). (SB3122 by \*Haun, \*Cooper)

**Senate Amendment No. 5**

AMEND House Bill No. 3049 No project may be commenced pursuant to this act until the Department has secured sufficient monies from non-tax sources for payments of such portion of the project to be commenced.

**Senate Amendment No. 6**

AMEND House Bill No. 3049 By deleting the language "No project may be commenced pursuant to this act until the Department has secured sufficient monies from non-tax sources for payments of such portion of the project to be commenced." wherever it appears.

AND FURTHER AMEND By adding the following language as a new, appropriately designated subsection in the amendatory language of Section 1:

(\_) (1) The department of transportation shall report annually to both houses of the general assembly as to the total amount of departmental funds, from any source, expended on intelligent transportation system projects during the previous fiscal year.

(2) Any compensation received by the department of transportation pursuant to this act that is not invested in the intelligent transportation system within five (5) fiscal years of the fiscal year of its receipt shall be transferred to the general fund.

Rep. Ford moved that the House concur in Senate Amendment(s) No(s). 5 and 6 to **House Bill No. 3049**, which motion prevailed by the following vote:

Ayes..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**Senate Bill No. 3107** -- Children - Rewrites child welfare agency provisions; establishes new provisions for child care agencies and programs. Amends TCA Titles 4, 33, 36, 37, 38, 39, 40, 41, 49, 68 and 71. by \*Herron, \*Person, \*Ford J. (\*HB3035 by \*Chumney, \*Walley, \*DeBerry L., \*Naifeh, \*Harwell, \*Langster, \*Arriola, \*Hargett, \*Todd, \*Caldwell, \*Kisber, \*Lewis, \*Rinks, \*Cole (Dyer))

The Senate amended House Amendment No. 3 with Senate Amendment No. 16 as follows:

#### **Senate Amendment No. 16**

AMEND Senate Bill No. 3107 As amended by House Amendments 3 and 4 (HA 1328 and HA 1392), by deleting the following language from Section 71-3-502(a)(4) of the amendatory language of Section 3:

The department shall enact these regulations by public necessity rule to be effective July 1, 2000; provided, permanent rules shall be promulgated pursuant to the provisions of title 4, chapter 5.

AND FURTHER AMEND by deleting the following language from subsection (h) of Section 71-3-502 of the amendatory language of Section 3:

Such earmarked fees shall be used by the department exclusively to improve child care quality in this state by funding activities which include, but are not limited to, child care provider training activities, but excluding any costs associated with conducting criminal background checks.

And by substituting instead the following language:

Such earmarked fees shall be used by the department exclusively to improve child care quality in this state by funding activities which include child care provider training activities, but excluding any costs associated with conducting criminal background checks. Increased fees for child care agency licenses shall be implemented on January 1, 2001. Increased fees shall be used solely for a variety of training options, which can be accessed by agencies, organizations and individuals for grants for workshops, conferences and scholarships that improve the quality of child care in this state.

AND FURTHER AMEND by deleting the following language in subdivision (j)(2)(B) of Section 71-3-502 of the amendatory language of Section 3

(iv) A child care agency subject to audit under this section may, with the prior approval of the comptroller of the treasury, engage licensed independent public accountants to perform the audits.

(v) The audit contract between the child care agency and the independent public accountant shall be on contract forms prescribed by the comptroller of the treasury.

(vi) The child care agency is responsible for reimbursement of the reasonable costs of audits prepared by the comptroller of the treasury and the payment of fees for audits prepared by licensed independent public accountants.

(vii) Audits and working papers prepared by independent public accountants shall be reviewed and approved by the comptroller of the treasury prior to payment.

(viii) Copies of such audits shall be provided to the commissioner of human services, the department of finance and administration and the comptroller of the treasury and shall be made available to the press.

(C) Notwithstanding the foregoing, any child care agency receiving any subsidy funds may be required to have an audit at any time at the discretion of the commissioner or the comptroller of the treasury.

and by substituting instead the following language:

(iv) The audit contract between the child care agency and the independent public accountant shall be on contract forms prescribed by the comptroller of the treasury.

(v) The child care agency is responsible for reimbursement of the reasonable costs of audits prepared by the comptroller of the treasury and the payment of fees for audits prepared by licensed independent public accountants.

(vi) Audits and working papers prepared by independent public accountants shall be reviewed and approved by the comptroller of the treasury prior to payment.

(vii) Copies of such audits shall be provided to the commissioner of human services, the department of finance and administration and the comptroller of the treasury and on payment of reasonable costs for reproduction shall be made available to the press.

(C) Notwithstanding the foregoing, any child care agency receiving any subsidy funds may be required to have an audit at any time at the discretion of the commissioner or the comptroller of the treasury. Only those entities subject to the provisions of item (B)(ii) or item (B)(iii) shall pay for costs of such audit. A child care agency subject to audit under item (B)(ii) or item (B)(iii) of this subdivision may, with the prior approval of the comptroller of the treasury, engage licensed independent public accountants to perform the audits.

AND FURTHER AMEND by deleting the following language from subsection (g) of Section 71-3-510 of the amendatory language of Section 11:

by public necessity rule of the department of human services, in consultation with the department of children's services, to be effective by July 1, 2000; provided, however, permanent rules shall be promulgated

AND FURTHER AMEND by deleting the language "church," from the second sentence of Section 71-3-501(b)(8) of the amendatory language of Section 2.

AND FURTHER AMEND by adding the following as a new subdivision (12) at the end of Section 71-3-503(a) of the amendatory language of Section 3:

(12) Nurseries, babysitting services and other children's activities that are not ordinarily operated on a daily basis, but which are associated with religious services or related activities of churches or other houses of worship. Such services or activities may include limited special events that shall not exceed fourteen (14) days in any calendar year.

AND FURTHER AMEND by adding the following new section immediately preceding the last two (2) sections of the bill, as amended, and by renumbering the subsequent sections accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 71, Chapter 3, Part 5, is amended by adding the following language as a new appropriately designated section:

Section \_\_\_\_\_. The records of any entity entering into a contract or grant with the state for child care broker services relating to such grant or contract shall be public records open for public inspection in accordance with the provisions of Section 10-7-503. Nothing herein shall be construed to allow a social security number or residential address of any person to be considered a public record.

AND FURTHER AMEND by adding the following as a new, appropriately designated section immediately before the last two (2) sections of the bill, as amended, and by renumbering the last two (2) sections accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 4, Chapter 37, is amended by adding the following as new Part 2:

4-37-201(a)(1). The department of human services is authorized to work with local communities, industry and other entities to develop the preliminary parameters of a program of public/private partnerships to enhance funding of child care. In such efforts, the department shall involve entities such as the Tennessee Child Care Facilities and Programs Corporation that was established pursuant to title 4, chapter 37, part 1, the appropriate local Families First Councils and the Work Force Development Council.

(2) In exploring such partnerships, the department shall examine the feasibility of securing federal and state funding as an incentive for developing matching local funds derived from local governments, employers, charitable institutions or foundations and other sources, so that communities may seek local, flexible partnerships with employers for the creation and enhancement of child care.

(b)(1) Only to the extent of any current funding not otherwise obligated by law, the department may also establish preliminary public/private partnerships through a program based upon the principles in subsection (a). In any preliminary program created pursuant to this subsection, any matching funds shall be used with the input and direction of local communities to meet the needs of working parents and to create, expand or upgrade on-site child care facilities; to contract or partner with child care agencies that provide such types of child care as sick-care, after-hours care for children and any other forms of child care that becomes necessary to meet the needs of children, parents, and employers; and to use such funds as incentives or for studies that may be necessary to aid in the development of any child care for the particular community.

(2) Any funds used pursuant to this subsection shall supplement or extend the use of existing public or private funding and shall not be used to supplant the maintenance of effort being exerted currently by the employer or other contributor.

(3) Any funds utilized pursuant to this subsection shall be for child care provided in a facility licensed, approved or certified by a state child care licensing, certification or approval entity under titles 37, 49, or 71, or in any other facility or program approved for the care of children by the department of human services.

(c) The department shall report, no later than January 15, 2001, to the House Children and Family Affairs Committee; the Human Resources Subcommittee of the House Health and Human Resources Committee; the Senate General Welfare, Health and Human Resources Committee; and the Select Committee on Children and Youth regarding its activities under this act, including but not limited to any preliminary partnerships initiated, the use of any current funds, and recommendations for legislation to establish an ongoing program to address the needs identified.

(d) The department is authorized to promulgate rules and regulations, which may include public necessity rules, pursuant to title 4, chapter 5, to implement the provisions of subsection (b). Such rules may include criteria for grants and use of program funds and shall be limited to any currently available funds not otherwise obligated by law.

Rep. Chumney moved that the House concur in Senate Amendment(s) No(s). 16 amending House Amendment(s) No(s). 3 to **Senate Bill No. 3107**, which motion prevailed by the following vote:

Ayes.....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**CONFERENCE COMMITTEES APPOINTED**

Pursuant to **Rule No. 73**, the Speaker appointed a Committee of Representatives Head, Fowlkes and Bittle to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill(s) No(s). 2472, 2377, 2210, 2183, 2051, 2180 and 2181, which motion prevailed.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 589; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2834 and 2835; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2652; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2025; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2482; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2482** -- Judges and Chancellors - Creates additional chancellor and criminal court judge in 20th judicial district, effective 9/1/01, to be filled by appointment until 9/1/02; provides for election of criminal court judge and chancellor in August 2002 to fill unexpired term. Amends TCA Title 16, Chapter 2, Part 5. by \*Haynes, \*Harper, \*Person. (HB2803 by \*Jones, S., \*West, \*Briley, \*Arriola, \*Robinson, \*Garrett, \*Pruitt, \*Harwell, \*Langster)

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3064; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 3064** -- Sexual Offenses - Creates Class B felony offense of aggravated incest, which is two or more incidents of incest with same victim within two years of such incidents. Amends TCA Title 39, Chapter 15, Part 3. by \*Harper. (HB2991 by \*Bowers)

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2830; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2830** -- District Attorneys - Increases number of assistant district attorney and assistant public defender positions; any additional assistant public defender positions provided in 20th and 30th judicial districts shall be authorized by General Appropriations Act. Amends TCA Title 8, Chapter 14 and Title 16, Chapter 2. by \*McNally, \*Person, \*Graves, \*Atchley, \*Crutchfield, \*Haynes, \*Harper, \*Fowler. (HB3079 by \*Buck)

**ENGROSSED BILLS**

**June 9, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 836, 837, 838, 841, 842, 843, 845 and 846.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2098, 2155, 2580, and 2932; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 926; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**June 9, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2098, 2155, 2580, 2932.

**SIGNED**

**June 9, 2000**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 926.

**MESSAGE FROM THE SENATE**

**June 9, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2959.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1 and 2.

The Speaker appointed a Conference Committee composed of Senators Clabough, Cooper and Haynes to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2959.

RUSSELL HUMPHREY, Acting Chief Clerk.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 1:00 p.m., Saturday, June 10, 2000.